

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

The independent claims are amended based on respective dependent claims 25-27 now canceled.

Claims 1, 8, 9, 16, 17, 18, and 24 stand rejected under 35 USC §103 for obviousness based on Ahuja in view of newly-applied Roy. Withdrawal is respectfully requested.

Claims 1, 9, and 18 are directed to determining the multimedia capabilities of two user terminals when a voice call is set up between the terminals. More specifically, the claims relate to determining the matching multimedia capabilities of two user terminals when a voice call is initiated and informing the user terminals of those matching multimedia capabilities. The multimedia capabilities of the user terminals are determined by sending a capability request to a terminal capability database in which the multimedia capabilities are stored. In addition to providing the user terminals with information regarding matching multimedia capabilities, these claims also specify alerting the users of those terminals of the possibility to start a multimedia service session only if at least one common multimedia service capability is found for the user terminals. The shared multimedia service session is only initiated if a common multimedia service capability is found for the user terminals.

Ahuja teaches a multimedia telecommunication system that supports simultaneous voice and multimedia communication using virtual meeting services (VMS). Although Ahuja describes the network automatically identifying the multimedia capabilities of the calling party and the called party in response to a call initiated by the calling party, (col. 13, lines 62-65), Ahuja moves the multimedia call forward even if there is a mismatch in the media communications capabilities of those parties or incompatibility between the communications equipment of the calling party and the

called party. Col. 14, lines 11-25. "The network will appropriately configure interface equipment to permit parties having these incompatibilities to communicate with one another in selected media," col. 14, lines 25-28.

Admitting that Ahuja lacks alerting user of a possibility to start a multimedia session, the Examiner points to [0049-0050] in Roy for this feature and argues that using this feature from Roy in Ahuja would provide "convenient, efficient and flexible multimedia telephone service." But Roy only describes that the multimedia bridge forwards a start-up request to the two user devices 106 and 112, after having received a start-up message from the first user device 100. Thus, Roy does not determine whether any common multimedia service capability exists before the users are alerted of the possibility to start a service session. Instead, a start-up request is always forwarded to the other users whenever a start-up message has been received from a first user. In contrast, in claim 1, the users are alerted of the possibility to start a multimedia service session only if it has been established that matching multimedia service capabilities do exist so that it is actually possible to start a multimedia session between the users.

Even if Ahuja and Roy could be combined as the Examiner proposes, their combined teachings still fail to disclose or suggest: "alerting users of the user terminals of a possibility to start a packet-switched shared multimedia service session only if at least one common multimedia service capability is found for the user terminals" and "initiating the shared multimedia service session only if at least one common multimedia service capability is found for the user terminals," as recited in claim 1.

So claim 1 determines whether it is possible to start a multimedia service session, while Ahuja and Roy describe how to make an attempt to start a multimedia service session. Because a packet-switched multimedia service session is not initiated in claim 1 unless it is determined that


it is possible to establish such a multimedia service session, the method of claim 1 conserves radio resources compared to Ahuja and Roy in which an attempt to establish a multimedia service session is always made. For example, Ahuja proceeds with a multimedia call even when one of the user terminals does not subscribe to multimedia services. See col. 15, lines 27-34.

Various dependent claims stand rejected under 35 USC §103 as being unpatentable over Ahuja and Roy in view of Aholainen (USP 7,280,832) or Vaananan (USP 7,369,864). These rejections are respectfully traversed because neither Aholainen nor Vaananan overcome the deficiencies noted above for Ahuja combined with Roy.

Accordingly, the application is in condition for allowance. An early notice to that effect is earnestly solicited.

Respectfully submitted,

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